IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 23RD MARCH 2007 / 2ND CHAITHRA 1929

Crl.Rev.Pet.No. 1060 of 2007(E)

CRA.89/2005 of ADDL. DISTRICT & SESSION COURT (ADHOC) II, THODUPUZHA

CC.391/2000 of JUDL. MAGISTRATE OF FIRST CLASS COURT, ADIMALI

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REVN. PETITIONER: APPELLANT/ACCUSED

N.V.BIJU, S/O VASU,
NANJILATHU HOUSE, CHINNAPPACHADI KARA,
PACHADI P.O., KALKOONTHAL VILLAGE.

BY ADV. SRI. LATHEESH SEBASTIAN

RESPONDENTS: STATE & COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY THE DIRECTOR OF PUBLIC PROSECUTIONS,\
HIGH COURT OF KERALA, ERNAKULAM.

2. RAJI V.R., S/O RAJAPPAN NAIR,
VILLONICKAL HOUSE, BISONVALLEY KARA,
BISONVALLEY VILLAGE, IDUKKI DISTRICT.

BY ADV. SRI. C.M. KAMMAPPU, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 23/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 1060 OF 2007

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Dated this the 23rd day of March 2007

O R D E R

The revision petitioner stands convicted for the offence under section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months and to pay a compensation of Rs.30,000/- vide section 357(3) Cr.P.C and in default to undergo simple imprisonment for one month.

2. The counsel for the revision petitioner has only sought for modification of sentence and for time to pay the amount of compensation. In the circumstances, sentence is modified to imprisonment rill rising of the court. The remaining portion of the sentence is confirmed. The revision petitioner is granted four months time from today onwards to pay the amount of compensation less the amount, if any, already deposited. The revision petitioner shall appear before Judicial First Class Magistrate, Adimaly on **24.07.2007** to receive sentence. Non bailable warrant pending, if any, shall be kept in abeyance.

The Crl. R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

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